

**United States Environmental Protection Agency  
Criminal Investigation Division  
Investigative Activity Report**

**Case Number:**

0203-0194

**Case Title:**

Port Imperial Ferry Corp ( ) - CWA)

**Reporting Office:**

Edison, NJ, Resident Office

**Subject of Report:**

2018-02-22 Interview of ( ) at NY Waterway in Weehawken, NJ

**Activity Date:**

February 22, 2018

**Reporting Official and Date:**

( )  
Special Agent

07-MAR-2018, Signed by: ( )

**Approving Official and Date:**

( )  
Special Agent in Charge  
08-MAR-2018, Approved by: ( )  
Assistant Special Agent in Charge

**SYNOPSIS**

On February 22, 2018, SA ( ) and SA ( ) interviewed Vice President of NY Waterway ( ) in Weehawken, NJ.

**DETAILS**

On February 22, 2018, at approximately 10:05 am, Environmental Protection Agency Criminal Investigative Division (EPA-CID) Special Agents (SA ( )) and (SA ( )) interviewed Captain ( ), ( ), of Port Imperial Ferry Corp. (DBA NY Waterway), concerning allegations that the company has been illegally disposing sewage from the NY Waterway Ferries into the New York Harbor/Hudson River. The initial interview took place at 4800 Avenue at Port Imperial in a conference room within the Port Imperial Ferry Terminal.

SA ( ) and SA ( ) identified themselves and exchanged business cards with ( ). SA ( ) advised ( ) of Statute 18 USC 1001 and that lying to a Federal Agent is a crime. ( ) stated that ( ) understood the law. SA ( ) advised ( ) that EPA-CID has received allegations of illegal discharges of raw sewage going into the Hudson River from the NY Waterway ferry boats. SA ( ) advised that if NY Waterway has made mistakes or has been taking shortcuts, that ( ) needed to be honest and discuss it.

( ) stated the boats do not have the ability to discharge directly into the water anymore. ( ) stated that ( ) is not present all the time so if it happens it is not company procedure. ( ) did advise that on holidays they let the sewage go into the boat and then would pump it out into the sewer later. ( ) stated that NY Waterway has thirty-five boats in their fleet with about seventeen to eighteen bathrooms operational. ( ) stated any ferry running under thirty minutes does not have a bathroom.

SA ( ) asked ( ) to describe the correct process for pumping out the sewage from the ferries. ( ) stated that there are four stations at the work/maintenance dock where boats that are full can be hooked up and the sullage pumped out. ( ) stated the pump is stationed at the head of the dock and does not move, only the hoses move. ( ) stated the pump is automatically set at twenty minutes and they can reset it as needed.

( ) stated that there is only one pump, and that the hoses are moved from boat to boat. ( ) described the pump as a diaphragm pump and stated that sometimes, when the weather is cold, the pump does not work so they call a company who brings in a truck to pump the sewage from the boats to the truck for removal. ( ) stated they also pump nontoxic antifreeze through the pump in the winter to keep the pump from freezing. ( ) stated the truck could be used up to four days a week.

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█████ explained that maintenance usually handles the sewage and the sewage removal happens twenty-four hours a day as needed. The same workers who fuel the boats also pump out the sewage. █████ estimated five million gallons of fuel are pumped a year; one thousand gallons of sewage are pumped out a day. █████ estimated each boat could carry about two hundred gallons of sewage.

█████ stated if the EPA has video of illegal dumping at NY Waterway that the company is overall responsible for the employees but █████ would have to go after the employee actually doing the illegal dumping. █████ advised no offense to SA █████ and SA █████ but his biggest fear is fuel spills.

SA █████ asked █████ if he knew of there being a portable pump modified to pump sewage from the boats directly into the river. █████ stated that █████ did not know of there being a portable pump. █████ stated that █████ swears sewage does not get pumped into the river when █████ is there and that █████ maintenance supervisor, █████, is very detailed and follows the policy. █████ stated that there is no need for another pump because they have all the parts to fix the pump if it breaks, and if it freezes they call the truck and the truck has its own hoses.

█████ stated the company they use when their pump freezes changes depending on availability. █████ said that one company is named ZUIDEMA, and he will make sure to get SA █████ copies of the invoices for the trucks used over the last year.

█████ stated that each vessel has a Vessel Log that documents when it was fueled and when the sewage was pumped out. █████ stated that it does not record the amount and the logs are changed out every year. █████ stated he does save all the past logs.

█████ also stated that █████ was not sure of all the types of permits NY Waterway has but █████ knows they have storm water permits. █████ also stated that the fueling facility is documented as a marina (Port Imperial Marina, LLC).

SA █████ advised █████ that █████ and SA █████ were interested in the waste retention practices at NY █████. █████ agreed to take SA █████ and SA █████ for a walk-through of the how the ferries are pumped out and show the Agents the pump. Agents followed █████ to 1500 Avenue at Port Imperial to the maintenance/fueling dock next to Molos Restaurant in Weehawken, NJ (approximately .5 miles from the main terminal).

At the maintenance/fueling dock █████ introduced Agents to █████ (█████) the Maintenance Supervisor. █████ along with █████ showed Agents the sewage pump. █████ advised that the stationary pump is a Sanisailor pump-out system that was replaced about one and a half years ago. █████ stated the pump has a permanent connection that flows into an underground sewer. █████ corrected █████ and advised the pump is on a fifteen-minute timer, not twenty. █████ explained the run dry pump ran on set timer; one worker would stand at the pump with a radio and another worker would post on the boat where the connection was located. The workers would radio back and forth and if sewage was still pumping out at the fifteen-minute mark, the worker by the pump would just reset the pump with a push of the button for another fifteen minutes, until the tank ran empty.

█████ explained that the green hoses were used for sewage, and every other hose was for fuel. █████ stated that the tanks range from 200-250 gallon tanks.

█████ stated that in Belford, NJ has a fixed pump also. █████ stated that each boat has a gauge showing if the sewage tank is full.

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█████ advised that there are eight to ten maintenance workers that actually pump the sewage but about forty maintenance workers in total. █████ explained that everyone is cross-trained but mainly maintenance workers hook up the hoses and pump the vessels out.

█████ stated the boats are pumped out throughout the day, for example, if you came to the docks at 8:00 am, you would see the Henry Hudson being pumped out.

SA █████ asked █████ if █████ wanted to discuss the allegations in private, but █████ stated that █████ could be present. █████, SA █████ and SA █████ went into a small office by the maintenance dock. SA █████ advised that there have been periodic complaints that some of your employees were not following the disposal practices that █████ and █████ had shown Agents today. SA █████ advised that the allegations of illegal sewage disposal from the ferries into the river had pictures and video to support the claims. SA █████ advised that █████ wanted █████ to take ownership of the problem and get to the bottom of it. SA █████ stated if the illegal dumping was happening sporadically, it needed to stop at once. If there were more extensive issues, then they needed to come up with a game plan to fix them.

█████ stated that █████ knew this was not going to be over today and would be an ongoing process. █████ stated █████ would look into the allegations and if SA █████ needed anything to contact █████. █████ stated SA █████ and SA █████ had no idea what █████ deals with. █████ stated █████ just had to fire a guy that had been with the company for years and was making over \$80,000 a year for a fuel spill. █████ stated again that fuel spills were █████ biggest fears. █████ stated the worker thought █████ had the fueling timed out and stepped away from the nozzle to go check █████ Facebook and lost track of time. █████ stated the fuel spilled over and █████ had to deal with the cleanup. █████ stated there was another employee that spilled fuel and was fired and was now trying to sue them! █████ stated █████ name was █████ something and █████ would get us █████ employee file if we wanted to see it.

SA █████ asked █████ about the cameras and █████ stated that there are video cameras but they automatically recycle footage every thirty days.

SA █████ advised █████ someone would be in touch with █████ and █████ stated █████ would email SA █████ the invoices. At approximately 11:30 pm the tour and interview was concluded.

**ATTACHMENT**

Pic 1  
Pic 2  
Pic 3  
Pic 4  
video  
Pic 5  
Pic 6  
Pic 7  
Pic 8  
Pic 9  
Pic 10  
Pic 11